

SEP 09 2009

PTO/SB/123 (11-08)

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Patent Number	7, 231, 380
Issue Date	6/12/07
Application Number	09/626,365
Filing Date	7/23/00
First Named Inventor	JOHN T. PIENKOS
Attorney Docket Number	—

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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☐ Attorney or agent of record. Registration Number \_\_\_\_\_

Signature

Typed or  
Printed Name**JOHN T. PIENKOS**

Date

**9/9/09**

Telephone

**(262)643-4165**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 09 2009

PTO/SB/96 (07-09)

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## STATEMENT UNDER 37 CFR 3.73(b)

Original  
Applicant/Patent Owner:

JOHN T. PIENKOS

Application No./Patent No.:

7,231,380

Filed/Issue Date:

6/12/07

Titled:

APPARATUS AND METHOD FOR PROVIDING PRODUCT  
LOCATION INFORMATION TO CUSTOMERS IN A STORE  
INNOVAPORT LLC a LIMITED LIABILITY COMPANY

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)
- the patent application/patent identified above, by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

- OR
- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: JOHN T. PIENKOS To: PATENTBANK L.L.C.

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, for which a copy thereof is attached.

2. From: PATENTBANK L.L.C. To: INNOVAPORT LLC

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Reel 018859, Frame 0320, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_


The document was recorded in the United States Patent and Trademark Office at

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- ☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11. (NOTE: ITEM #2 OF CHAIN OF TITLE WAS FILED TO ASSIGNMENT DIVISION FOR RECORDATION TODAY)
- [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

JOHN T. PIENKOS

Printed or Typed Name

9/9/09

Date

CEO

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

### ASSIGNMENT AND AGREEMENT

WHEREAS, John T. Pienkos, formerly of 5017 N. Hollywood Ave., Whitefish Bay, Wisconsin 53217 and now residing at 1104 N. Marshall St., Apt. 401, Milwaukee, Wisconsin 53202 (hereinafter referred to as the "ASSIGNOR") has invented a certain invention entitled "Apparatus and Method for Providing Product Location Information to Customers in a Store" for which a provisional application for United States Letters Patent was filed on October 9, 1999 as Application No. 60/158,444, and a nonprovisional application for United States Letters Patent was filed on July 23, 2000 as Application No. 09/626365, the nonprovisional application claiming the benefit of the provisional application;

WHEREAS, Patentbank L.L.C., a limited liability corporation duly organized and existing under the laws of the State of Wisconsin, and having its principal place of business at 5017 N. Hollywood Ave, Whitefish Bay, Wisconsin 53217 (hereinafter referred to as the "ASSIGNEE") is desirous of acquiring the entire interest therein; and

WHEREAS, the ASSIGNOR has caused the formation of the ASSIGNEE, has paid all expenses incident to and arising out of the organization of the ASSIGNEE, and wishes to make a further capital contribution to the ASSIGNEE both in recognition of and as a confirmation of the exclusive ownership by the ASSIGNOR of all of the membership interests in the ASSIGNEE;

NOW THEREFORE, in consideration of One Dollar (\$1.00), in consideration of the confirmation by the ASSIGNEE that the ASSIGNOR exclusively owns all of the membership interests in the ASSIGNEE, and in consideration of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the ASSIGNOR has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto the ASSIGNEE, its successors and assigns, the full and exclusive right, title, and interest in and to (a) the above-identified invention or inventions and all improvements and modifications thereof, (b) the above-identified applications and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title and interest to be held and enjoyed by the ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the ASSIGNOR had this Assignment not been made.

THE ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to the ASSIGNEE as assignee of the entire interest, for the sole use and benefit of the ASSIGNEE, its successors and assigns.

THE ASSIGNOR HEREBY AGREES (a) to communicate to the ASSIGNEE, its successors and assigns, or their representatives or agents, all facts and information known or available to the ASSIGNOR respecting said invention or inventions, improvements, and

modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by the ASSIGNEE; (b) to testify in person or by affidavit as required by the ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by the ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and (d) to provide all reasonable assistance to the ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

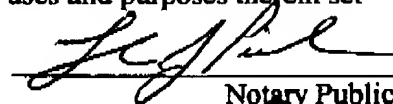
THE ASSIGNOR HEREBY REPRESENTS AND WARRANTS that the ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein, and that the ASSIGNOR has not executed and will not execute any document or instrument in conflict herewith.

Executed this 14<sup>th</sup> day of September, 2000.

  
John T. Pienkos  
ASSIGNOR

State of WI)  
) ss.  
County of Milwaukee)

On this 14<sup>th</sup> day of September, 2000, before me, a notary public in and for said county, appeared John T. Pienkos, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed, sealed, and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

  
Notary Public  
Perman  
My Commission Expires:     

(Seal)

Endorsed: Angela T. Pienkos  
Angela T. Pienkos  
Sole Manager, the ASSIGNEE

Date: 9/14/00

Endorsed: Nicole A. Dudzik  
Nicole A. Dudzik,  
President, the ASSIGNEE

Date: 9/14/00